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No. 59--In exercise of the powers conferred by Section 86 (1) (a), (b) and (c) read with (e), Section 61(a to h), and Section 62 (1) of the Electricity Act 2003 and all other powers enabling it in this behalf, the Jharkhand State Electricity Regulatory Commission hereby makes the following Regulations.
short title, commencement and interpretation

This Regulation may be called the 'Jharkhand State Electricity Regulatory Commission (Determination of Tariff for Procurement of Power from Wind, Biogas, Municipal Solid waste and Refuse Derived fuel based Power Projects) Regulations, 2016'.

These Regulations shall extend to the whole state of Jharkhand.

These Regulations shall come into force on the date of its publication in the Jharkhand Gazette and unless reviewed earlier or extended by the Commission, and shall remain in force up to 31st March, 2020.

Definition

In this Regulation unless the context otherwise requires:

“**Act**” means the Electricity Act, 2003 and subsequent amendment thereof;

“Banking of power” is the process under which a Generating Plant supplies power to the grid not with the intention of selling it to either a third party or to a Licensee, but with the intention of exercising its eligibility to draw back this power from the grid;

“Biogas” means a gas created when organic matter like crop residues, sewage and manure breaks down in an oxygen-free environment (ferments);

“Capital cost” means the cost inclusive of all capital work including plant and machinery, civil work, land including leasehold land, erection and commissioning, financing and interest during construction, and evacuation infrastructure up-to interconnection point.

“CERC” means The Central Electricity Regulatory Commission referred to in subsection (1) of section 76;

“Control Period” means the period during which the norms for determination of tariff specified in these Regulations shall remain valid;

“Day” means a continuous period starting at 00.00 hours and ending at 24.00 hours;

“Distribution Licensee or Discom” means a Licensee authorised to operate and maintain a distribution system for supplying electricity to the consumers in his area of supply;

“Extra High Voltage (EHV)” means the voltage, which exceeds 33,000 volts subject, however, to the percentage variation allowed under the Indian Electricity Rules, 1956;

“Grid” means interconnected network of transmission lines, distribution lines and sub-stations at EHV and HV level;

“Grid Code” shall mean the JSERC (State Grid Code), Regulations, 2008 & its amendment from time to time;

“High Voltage (HV)” means the voltage higher than 650 volts but which does not exceed 33,000 volts 50 cycles under normal conditions subject, however, to the percentage variation allowed under the Indian Electricity Rules, 1956;

“Infrastructure cost” means the cost of auxiliaries, cost of land, site development charges and other civil works, transportation charges, cost of evacuation up to interconnection point;

“Inter-connection Point” means interface point of renewable energy generating facility with the transmission system or distribution system, as the case may be, and:

- (i) in relation to wind energy projects, inter connection point shall be line isolator on outgoing feeder on HV side of pooling sub-station;
- (ii) in relation to Biogas, Municipal Solid waste and Refuse Derived fuel based power projects, the inter-connection point shall be line isolator on outgoing feeder on HV side of generator transformer;

“JSERC or Commission” means the Jharkhand State Electricity Regulatory Commission;

“Month” means a continuous period of one month commencing from 00.00 hours on the first day of the month and ending at 24.00 hours on last day of the month;

“MNRE” means the Ministry of New and Renewable Energy of the Government of India;

“Municipal solid waste (MSW)” means and includes commercial and residential wastes generated in a municipal or notified areas in either solid or semi-solid form excluding industrial hazardous wastes but including treated bio-medical wastes;

“NLDC” means National Load Despatch Centre, the Centre established under sub-section (1) of Section 26 of the Act;

“Non-firm power” means the power generated from renewable sources, the hourly variation of which is dependent upon nature’s phenomenon like sun, cloud, wind, etc., that cannot be accurately predicted;

“Operation and Maintenance expenses” or “O&M expenses” means the expenditure incurred on operation and maintenance of the project, or part thereof , and includes the expenditure on manpower, repairs, spares, consumables, insurance and overheads;

“Project” means a generating station or the evacuation system up to interconnection point, as the case may be;

“Regional Load Despatch Centre (RLDC)” means the Centre established under sub-section (1) of Section 27 of the Act;

“Regional Power Committee (RPC)” means a Committee established by resolution by the Central Government for a specific region for facilitating the integrated operation of the power systems in that region;

“RPC Secretariat” means the Secretariat of the RPC;

“Refuse Derived Fuel (RDF)” means segregated combustible fraction of solid waste other than chlorinated plastics in the form of pellets or fluff produced by

drying, de-stoning, shredding, dehydrating and compacting combustible components of solid waste that can be used as fuel;

“**Schedule**” denote the injection schedule in MW (in case of generator) or drawl schedule in MW (in case of consumer) provided by generator/consumer to the SLDC (in case of connected to transmission network) or to the Distribution Licensee (in case of connected to distribution network) in a manner as specified in this code;

“**SERCs**” means State Electricity Regulatory Commissions;

“**State Load Despatch Centre (SLDC)**” means the Centre established under subsection (1) of Section 31 of the Act;

“**State**” means the State of Jharkhand;

“**State Transmission Utility (STU)**” means the Board or the Government Company specified as such by the State Government under sub-section (1) of Section 39 of the Act;

“**Tariff period**” means the period for which tariff is to be determined by the Commission on the basis of norms specified under these Regulations;

“**Useful Life**” in relation to a unit of a generating station including evacuation system shall mean the duration from the date of commercial operation (COD) of such generation facility and shall be considered as provided in the Regulation

“**Year**” means a financial year.

All other expressions used herein although not specifically defined herein, but defined in the Act, shall have the meaning assigned to them in the Act. The other expressions used herein but not specifically defined in this Regulation or in the Act but defined under any law passed by the Parliament applicable to electricity industry in the State shall have the meaning assigned to them in such law.

APPLICABILITY OF THE ORDER

These regulations shall be applicable in case of following grid connected power generation projects:

- (a) **Wind power projects** – The project shall qualify to be termed as a wind power project, if it is using new wind turbine generators.

Provided that wind power projects commissioned in Jharkhand using new wind turbine generators but subsequently requiring re-powering of turbine generator shall also be eligible under this clause.

- (b) **Biogas based power project** – The project shall qualify to be termed as a biogas based power project, if it is using new plant and machinery and having grid connected system that uses 100% Biogas fired engine, coupled with Biogas technology for co-digesting agriculture residues, manure and other bio waste as may be approved by MNRE.
- (c) **Municipal solid waste based power projects** – The project shall qualify to be termed as a Municipal solid waste based power project, if it is using new plant and machinery based on Rankine cycle technology and using Municipal solid waste as fuel sources.
- (d) **Refuse derived fuel based power projects** - The project shall qualify to be termed as a Refuse derived fuel based power project, if it is using new plant and machinery based on Rankine cycle technology and using Refuse derived fuel as fuel sources.

The Control Period will be from 1st April 2016 to 31st March 2020. The tariff decided in a particular control period shall apply to all projects which come up within that control period.

The revision in Regulations for next Control Period shall be undertaken at least six months prior to the end of this Control Period and in case Regulations for the next Control Period are not notified until commencement of next Control Period, the tariff norms as per these Regulations shall continue to remain applicable until notification of the revised Regulations subject to adjustments as per revised Regulations.

Determina NTS of Tariff

Under Section 14 of the Act, no license is required for generation and distribution of power in notified rural areas. Hence, stand-alone Biogas, Wind, Municipal Solid waste and Refuse Derived fuel based projects supplying to rural areas will not have their tariffs determined by the Commission.

Wind, Biogas, Municipal Solid waste and Refuse Derived fuel based projects feeding to the grid would require tariff at which Distribution Licensees would procure power from these plants. Determination of tariff by the Commission would also facilitate signing of Power Purchase Agreement (PPA) between developers and Distribution Licensee.

The Control Period or review period under these regulations shall be of four years.

Tariff Period

The tariff determined under these Regulations for Wind Energy based projects shall be applicable for twenty five (25) years for the projects having Commercial Operation Date (COD) up to 31st March, 2020.

The tariff determined under these Regulations for Biogas, Municipal Solid waste and Refuse Derived fuel based projects shall be applicable for twenty (20) years for the projects having Commercial Operation Date (COD) up to 31st March, 2020.

Tariff period under these Regulations shall be considered from the date of commercial operation of the renewable energy generating stations.

The Commission shall determine the generic tariff suo-motu at least six months in advance at the beginning of each year of the Control period for Wind energy, Biogas, Municipal Solid waste and Refuse derived fuel based projects.

Project Specific Tariff

Project specific tariff, on case to case basis, may be determined by the Commission on case to case basis if opted for by the developer.

Provided that the Commission while determining the project specific tariff for projects shall be guided by the provisions specified in these Regulations.

Provided further that the financial norms as specified, except for capital cost, shall be ceiling norms while determining the project specific tariff.

A Petition for determination of project specific tariff shall be accompanied by such fee as may be determined by Regulations and shall be accompanied by:

- (a) Information in forms released by the Commission as appendix to these Regulations;
- (b) Detailed Project Report (DPR) outlining technical and operational details, site specific aspects, and premise for capital cost and financing plan etc.
- (c) A Statement of all applicable terms and conditions and expected expenditure for the period for which tariff is to be determined.
- (d) A statement containing full details of calculation of any subsidy and incentive received, due or assumed to be due from the Central Government and/or State Government. This statement shall also include the proposed tariff calculated without consideration of the subsidy and incentive.
- (e) Any other relevant information required by the Commission for the purpose of Tariff Determination;

Tariff Principle

While deciding the tariff for power purchase by Distribution Licensee from renewable sources, the Commission has considered the principles and methodologies specified by:

- (a) National Electricity Policy;
- (b) National Tariff Policy;
- (c) Central and State Governments; and
- (d) Forum of Regulators (FOR) and Central Electricity Regulatory Commission;

Renewable energy technologies like Biogas, Municipal solid waste and Refuse derived fuel based power projects have a significant fuel cost component. In view of that single part tariff with two components, fixed cost component and fuel cost component, shall be determined on levellised basis considering the year of commissioning of the project for fixed cost component while the fuel cost component shall be specified on year of operation basis.

Provided that for Municipal solid waste based power projects, the fuel cost component is not considered.

For the purpose of levellised tariff computation, the discount factor equivalent to Post tax weighted average cost of capital shall be considered.

Levelling shall be carried out for the 'useful life' of the Renewable energy project while tariff shall be specified for the period equivalent to 'Tariff Period'

Components of tariff

Tariff determination using a cost-plus approach requires assumptions on the following operational and financial parameters:

Capital cost;

Plant Load Factor/ Capacity Utilisation Factor;

Auxiliary consumption;

Debt-equity ratio ;

Term of loan and Interest on long term debt;

Depreciation;

Operation and Maintenance expenditure;

Working capital and interest on working capital;

Return on equity.

The subsequent sections detail the terms and conditions of various components set by the Commission for determination of tariff from Biogas, Wind energy, Municipal solid waste and Refuse derived fuel based power projects.

Principles of Tariff determination

Capital cost

The capital cost primarily consists of the cost of technology used, plant layout and configuration, type of fuel used, procurement, transportation, storage etc., taxes and duties, cost of inter-connection, civil works, land including leasehold lands and erection & commissioning.

Wind based power projects: The normative capital cost for FY 2016-17 is INR 620 Lakh/MW.

Biogas based power projects: The normative capital cost for FY 2016-17 is INR 1190 Lakh/MW.

Municipal solid waste based power project: The normative capital cost for FY 2016-17 is INR 1500 Lakh/MW.

Refuse derived fuel based power project: The normative capital cost for FY 2016-17 is INR 900 Lakh/MW.

Provided if any power projects is eligible for capital subsidy either by State Government or MNRE, the net capital cost will be arrived at after deducting the amount of capital subsidy.

Provided that the Capital Cost norms for the remaining years of the Control Period, for municipal solid waste and refuse derived fuel based power projects shall be reviewed on annual basis.

The capital cost of the Wind and Biogas power projects shall be revised over the control period with changes in Wholesale Price Index (WPI) for steel and electrical machinery based on the following indexation formula.

Capital cost for nth year, $CC(n) = P\&M_{(n)} * (1+F1+F2+F3)$

Plant & Machinery cost for nth year, $P\&M_{(n)} = P\&M_{(0)} * (1+d_{(n)})$

$d_{(n)} = [a * \{(SI_{(n-1)}/SI_{(0)}) - 1\} + b * \{(EI_{(n-1)}/EI_{(0)}) - 1\}] / (a+b)$

Where, $PM_{(0)}$ = Plant & Machinery cost for the base year

$d_{(n)}$ = Capital cost indexation factor for year (n) of Control Period

$SI_{(n-1)}$ = Average WPI Steel Index prevalent for fiscal year (n-1) of the Control period

$SI_{(0)}$ = Average WPI Steel Index prevalent for calendar year (0) at the beginning of the Control Period

$EI_{(n-1)}$ = Average WPI Electrical Machinery Index prevalent for fiscal year (n-1) of the Control Period

$EI_{(0)}$ = Average WPI Electrical Machinery Index prevalent for calendar year (0) of the Control Period

= Constant to be determined by Commission from time to time, for weight age to Steel Index

b = Constant to be determined by Commission from time to time, for weight age to Electrical Machinery Index

F1 = Factor for Land and Civil work

F2 = Factor for Erection and Commissioning

F3 = Factor for IDC and Financing Cost

The constants and factors for the above indexation formula varies depending on type of project, and in default shall be considered as follows:

Table 1: Default values of constant and factors considered for Capital cost indexation

Description	Wind based power projects	Biogas based power projects
a	0.60	0.70
b	0.40	0.30
F1	0.08	0.10
F2	0.07	0.09
F3	0.10	0.14

Capacity Utilization Factor (CUF)

CUF norms for Wind Energy projects shall be as follows:

Table 2: CUF for Wind based power projects

Annual Mean Wind Power Density (W/m^2)	CUF
Up to 200	20%
201 – 250	22%
251 – 300	25%
301 – 400	30%
Above 400	32%

The annual mean wind power density specified above shall be measured at 80 meter hub-height.

For the purpose of classification of wind energy project into particular wind zone class, as per MNRE guidelines for wind measurement, wind mast either put-up by C-WET or a private developer and validated by C-WET would be normally extended 10 km from the mast-point to all directions for uniform terrain and limited to appropriate distant in complex terrain with regard to complexity of the site. Based on such validation by C-WET, State Nodal Agency should certify zoning of the proposed wind farm complex.

Plant load factor (PLF)

Plant load factor for Biogas, Municipal solid waste and Refuse derived fuel based power projects as given in the table below, shall be considered for determination of fixed charges component of tariff.

Table 3: Plant Load Factor

Power Projects	PLF
Biogas	90%
Municipal Solid Waste	
a) During First year	65%
b) From 2 nd Year onwards	75%
Refuse derived Fuel	
a) During First year	65%
b) From 2 nd Year onwards	80%

Auxiliary consumption

The auxiliary power consumption factor for the determination of the tariff for Biogas, Municipal solid waste and Refuse Derived fuel based power projects are summarized as under:

Table 4: Auxiliary Consumption Factor

Power Projects	PLF
Biogas	12%
Municipal solid waste	15%
Refuse derived fuel	15%

Life of plant

The life of plant shall be considered as under.

- | | |
|---|----------|
| (a) Wind energy power project | 25 years |
| (b) Biogas based power project | 20 years |
| (c) Municipal solid waste based power project | 20 years |
| (d) Refuse derived fuel based power project | 20 years |

Debt equity ratio

For generic tariff, to be determined based on suo-motu petition, the debt equity ratio shall be 70:30.

For Project specific tariff, the following provisions shall apply:-

If the equity actually employed is more than 30%, the amount of equity in excess of 30% shall be treated as normative loan.

Provided that, in case the equity employed is less than 30%, the actual equity employed is to be considered.

Term of loan and Interest on long term debt

For the purpose of determination of tariff, loan tenure of 12 years shall be considered.

The loans arrived at in the manner indicated shall be considered as gross normative loan for calculation for interest on loan. The normative loan outstanding as on April 1st of every year shall be worked out by deducting the cumulative repayment up to March 31st of previous year from the gross normative loan.

Notwithstanding any moratorium period availed power project, the repayment of loan shall be considered from the first year of commercial operation of the project and shall be equal to the annual depreciation allowed.

For the purpose of computation of tariff the normative interest rate on long term loan shall be considered as average State Bank of India (SBI) Base rate prevalent during the first six months of the previous year plus 300 basis points.

Depreciation

The value base for the purpose of depreciation shall be the Capital Cost of the asset admitted by the Commission. The Salvage value of the asset shall be considered as 10% and depreciation shall be allowed up to maximum of 90% of the Capital Cost of the asset.

Provided that land is not a depreciable asset and its cost shall be excluded while computing the 90% of the capital cost.

Depreciation per annum shall be based on 'Differential Depreciation Approach' over loan period beyond loan tenure over useful life computed on Straight Line Method'. The depreciation rate for the first 12 years of the Tariff Period shall be 5.83% per annum and the remaining depreciation shall be spread over the remaining useful life of the project from 13th year onwards.

Depreciation shall be chargeable from the first year of commercial operation.

Provided that in case of commercial operation of the asset for part of the year, depreciation shall be charged on pro rata basis

Operation and Maintenance expenses

Operation and Maintenance expenses consist of employee expenses, administrative and general expenses, repairs and maintenance expenses, cost of spares and insurance expenses.

The normative O&M expenses for FY 2016-17 shall be as follows:

- | | |
|---------------------------------|-------------------|
| (a) Wind energy power project: | INR 12.00 Lakh/MW |
| (b) Biogas based power project: | INR 50.00 Lakh/MW |

Normative O&M expenses for FY 2015-16 for the power projects which use Municipal solid waste or Refuse derived fuel shall be 6% of normative capital cost.

Normative O&M expenses allowed at the commencement of the Control Period under the Regulations i.e. FY 2016-17 shall be escalated at the rate of 5.72% per annum.

Interest on working capital

The working capital requirement in respect of Wind energy power projects shall be computed in accordance with the following:

- Operation & Maintenance expenses for One (1) month;
- Receivables equivalent to Two (2) months of energy charges for sale of electricity calculated on the normative CUF;
- Maintenance spares @ 15% of Operation and Maintenance expenses.

The working capital requirement in respect of Biogas, Municipal solid waste and Refuse Derived Fuel based power projects shall be computed in accordance with the following:

- Fuel costs for four (4) months equivalent to normative PLF;
- Operation & Maintenance expenses for one (1) month;
- Receivables equivalent to Two (2) months of fixed and variable charges for sale of electricity calculated on the target PLF;
- Maintenance spares @ 15% of Operation and Maintenance expenses.

Interest on Working Capital shall be at interest rate equivalent to the average State Bank of India Base Rate prevalent during the first six months of the previous year plus 350 basis points.

Return on equity

The value base for the equity shall be 30% of the capital cost or actual equity (in case of project specific tariff determination as determined under Regulation 0).

The return on equity (pre-tax) shall be as under :

(a) 20% per annum for the first 10 years.

(b) 24% per annum 11th years onwards.

Fuel cost

The fuel costs for the first year of Control Period i.e. FY 2016-17 for Biogas based power project is INR 1200/ Tonne.

Provided that the fuel price may be reviewed by the Commission at the end of third year of the control period.

The fuel cost for the first year of Control period i.e. FY 2016-17 for Refuse derived fuel based power project is INR 1800/ Tonne.

No fuel cost shall be considered for determination of tariff for the power projects using municipal solid waste.

In case of Biogas based power projects, the fuel cost will change each year based on whether a Renewable Energy Power Project developer opts for fuel price indexation, as described below or an escalation factor of 5%. Hence, while calculating the total applicable tariff for Biogas based power projects, levellisation of only fixed component is considered and the variable component for the first year of operation (i.e. 2016-17) is specified.

The following indexing mechanism for adjustment of fuel prices for biogas based power projects for each year of operation will be applicable for determination of applicable variable charge component of tariff, in case developer wishes to opt for indexing mechanism:

$$P_{(n)} = P_{(n-1)} * \{ a * (WPI_{(n)} / WPI_{(n-1)}) + b * (1 + IRC_{(n-1)}) + c * (Pd_{(n)} / Pd_{(n-1)}) \}$$

Where,

$P_{(n)}$ = Price per tonne for the nth year to be considered for tariff determination

$P_{(n-1)}$ = Price per tonne for the (n-1)th year to be considered for tariff determination.

a = Factor representing fuel handling cost

b = Factor representing fuel cost

c = Factor representing transportation cost

$IRC_{(n-1)}$ = Average Annual Inflation Rate for indexed energy charge component in case of captive coal mine source (in %) to be applicable for $(n-1)^{th}$ year, as may be specified by CERC for 'Payment purpose' as per competitive Bidding Guidelines

Pd_n = Weighted average price of HSD for n^{th} year

Pd_{n-1} = Weighted average price of HSD for $(n-1)^{th}$ year

WPI_n = Whole sale price index for the month of April of n^{th} year

WPI_{n-1} = Wholesale price index for month of April of $(n-1)^{th}$ year

Where a, b & c will be specified by the Commission from time to time. In default, these factors shall be 0.2, 0.6 & 0.2 respectively.

In case of Refuse Derived fuel based power projects, for each subsequent year of the Tariff Period, the normative escalation factor of 5% per annum shall be applicable at the option of the refuse derived fuel project developer.

Technology Specific Parameters for Biogas based power projects

Fuel Mix

The normative specific fuel consumption shall be 3 kg per kWh for Biogas based power generating stations.

Variable charges

Variable charge for the n^{th} year shall be determined as under:

$$VC_n = VC_1 \times (P_n/P_1) \text{ 'or' } VC_n = VC_1 \times (1.05)^{(n-1)} \text{ (Optional)}$$

Where,

VC_1 represents the variable charge based on fuel price P_1 for FY 2016-17 as specified under Regulation 0 and shall be determined as under:

$$VC_1 = \text{Specific Cons. (kg/kWh)} \times [1 / (1 - \text{Aux. consumption Factor})] \times (P_1 / 1000)$$

Where;

P_1 = Fuel price in INR/ Tonne for FY 2016-17

Technology Specific Parameters for Municipal Solid waste based power projects

Station heat rate

The station heat rates for power projects which use Municipal Solid waste for FY 2016-17 is 4200 kCal/kWh.

Technology Specific Parameters for Refuse derived fuel based power projects

Station heat rate

The station heat rates for power projects which use Refuse derived fuel for FY 2016-17 is 4200 kCal/kWh.

Gross Calorific value (GCV)

The Gross Calorific Value of the refuse derived fuel used for the purpose of determination of tariff shall be at 2500 kCal/kg.

Variable charges

Variable charge for the n^{th} year shall be determined as under:

$$VC_n = VC_1 \times (1.05)^{(n-1)}$$

Where,

VC_1 represents the variable charge based on fuel price P_1 for FY 2016-17 as specified under Regulation 0 and shall be determined as under:

$$VC_1 = [SHR / GCV] \times [1 / (1 - \text{Aux. consumption Factor})] \times (P_1 / 1000)$$

Where;

P_1 = Fuel price in INR/ Tonne for FY 2016-17

SHR = Station heat rate in kCal/kWh

GCV = Gross Calorific value in kCal/kg

The cost parameters considered by the Commission to determine tariff for power generated from Biogas, Wind energy and Municipal Solid waste based projects are as mentioned below:

Table 5: Cost parameters considered by Commission for Tariff Determination

Parameters	Wind	Biogas	MSW	RDF
Capital Cost	620	1190	1500	900

Parameters	Wind	Biogas	MSW	RDF
(INR Lakh/MW) for FY 2016-17 and further escalated based on indexation formula provided in Regulation 0				
CUF	- Up to 200: 20% - 201 to 250: 22% - 251 – 300: 25% - 301 – 400: 30% - Above 400:32%	N.A.	N.A.	N.A.
PLF	N.A.	90%	1 st Year –65% 2 nd Year -75%	1 st Year –65% 2 nd Year -80%
Life of Plant	25	20	20	20
Auxiliary Consumption factor	-	12%	15%	15%
Debt-Equity Ratio	70:30	70:30	70:30	70:30
Loan repayment period	12 Years	12 Years	12 Years	12 Years
Interest on loan	Avg. SBI Base Rate during first 6 months of previous years + 3%	Avg. SBI Base Rate during first 6 months of previous years + 3%	Avg. SBI Base Rate during first 6 months of previous years + 3%	Avg. SBI Base Rate during first 6 months of previous years + 3%
Interest on Working Capital	Avg. SBI Base Rate during first 6 months of previous years + 3.5%	Avg. SBI Base Rate during first 6 months of previous years + 3.5%	Avg. SBI Base Rate during first 6 months of previous years + 3.5%	Avg. SBI Base Rate during first 6 months of previous years + 3.5%
O&M Expenses (INR Lakh/ MW) for FY 2016-17	12.00	50.00	6% of Normative Capital Cost	6% of Normative Capital Cost
Annual escalation in O&M expenses (%)	5.72%	5.72%	5.72%	5.72%
Depreciation	- Yr 1 to 12: 5.83% - 13 th Yr onwards: Remaining depreciation spread over useful life	- Yr 1 to 12: 5.83% - 13 th Yr onwards: Remaining depreciation spread over useful life	- Yr 1 to 12: 5.83% - 13 th Yr onwards: Remaining depreciation spread over useful life	- Yr 1 to 12: 5.83% - 13 th Yr onwards: Remaining depreciation spread over useful life

Parameters	Wind	Biogas	MSW	RDF
Residual Value	10% of capital cost	10% of capital cost	10% of capital cost	10% of capital cost
Return on equity (pre-tax)	- Yr 1 to 10: 20% - 11 th Yr onwards: 24%	- Yr 1 to 10: 20% - 11 th Yr onwards: 24%	- Yr 1 to 10: 20% - 11 th Yr onwards: 24%	- Yr 1 to 10: 20% - 11 th Yr onwards: 24%
Specific fuel consumption (kg/kWh)	N.A.	3.00	Nil	Nil
Station heat rate (kCal/kWh)	N.A.	Nil	4200	4200
Gross Calorific value (kCal/kg)	N.A.	Nil	Nil	2500
Fuel Cost for FY 2016-17 (INR/tonne)	N.A.	1200.00	Nil	1800.00

Other terms and conditions***Transmission and Wheeling***

In case of third party sale or for captive use both within the State or outside, the transmission/ wheeling charges and transmission/ wheeling losses shall be recovered as under:

- For use of transmission network, transmission charges and losses as determined by the Commission in respect of open access transactions would be applicable.
- For use of distribution licensee's network, the wheeling charges and losses as determined by the Commission in respect of open access transactions at respective voltage levels at which electricity is supplied, would be applicable.
- For use of both EHV and distribution network, both transmission and wheeling charges as well as losses, as applicable shall be payable.

Balancing and Settlement code

All renewable energy power plants, except wind power generation plants, with installed capacity of 10 MW and above shall be treated as 'MUST RUN' power plants and shall not be subjected to 'merit order despatch' principles.

Wind power generation plants where the sum of generation capacity of such plants connected at the connection point to the transmission or distribution system is 10 MW and above and connection point is 33 KV and above shall be subjected to scheduling and despatch code as specified under Indian Electricity Grid Code (IEGC) -2010, as amended from time to time.

Metering and billing

The metering and communication arrangements shall be provided in accordance with the JSERC (Terms and Conditions for Intra-state Open Access) Regulations, 2016 and subsequent amendments thereof, Grid Code and Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 in consultation with Distribution Licensee/State Transmission Utility. The periodicity of testing, checking, calibration etc., will be governed by the Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 and regulations issued by the Commission from time to time in this regard.

Main and Check Meters shall have facility to communicate its reading to State Load Dispatch Centre on real time basis or otherwise as may be specified by the Commission.

Meter reading shall be taken as per the procedure devised by the Distribution Licensee/State Load Dispatch Centre. The term 'Meter' shall include Current transformers, voltage/potential transformers, wiring between them and meter box/panel etc.

Billing of the metered energy shall be carried out on a monthly basis.

Payment mechanism

The Commission prescribes a settlement period of 60 days from the date of presentation of the bill for the net energy sold after deducting the charges for start-up power and reactive power to the concerned Distribution Licensee where the power is injected, in order to ensure that the generating company has an assurance of cash inflow for the energy delivered to the grid.

In case of delay beyond the 60 days payment period, the Distribution Licensee shall pay a late payment surcharge at the rate of 1.25% per month to the generating company.

In case the Distribution Licensee makes the payment other than through letter of credit within 30 days from the date of presentation of bills by the generating company, a rebate of 1% of billed amount shall be allowed by the generating company. In case of payments through letter of credit with 30 days, a rebate of 2% of billed amount shall be allowed.

Third party sale

In case of default in payment for more than three months continuously by the Distribution Licensee, the generating company can sell power to the third party.

In those cases where the developer has an existing arrangement for third party supply or for captive consumption and in case the generating company desires to terminate the agreement with third party and to supply to the Distribution Licensee, the Distribution Licensee with the prior permission of the Commission, shall purchase the power at the rate as determined by the Commission in these regulations.

Start-up power

The wind energy, biogas, municipal solid waste and refuse derived fuel based power generators shall be entitled to draw start up power from the Distribution Licensee's network. The drawal of energy by the generator during the start up from the Distribution Licensee shall be adjusted against the generated energy.

Drawing of power during shut down

The wind energy, biogas, municipal solid waste and refuse derived fuel based power generators shall be entitled to draw power from the Distribution Licensee's network during shutdown period of its plant or other emergencies. The energy consumed shall be billed at the temporary rate applicable to HT Industrial category. The drawal shall not normally exceed 11.5 % of the MW capacity it delivers to the Distribution Licensee.

Banking

Banking of 100% energy shall be permitted for all Captive and Open Access/Scheduled Consumers during all 12 months of the year for the period April to March. Banking charges shall be adjusted in kind @ 2% of the energy delivered at the point of drawal and energy settlement shall be done on a monthly basis.

Drawals of banked energy during the Time of the Day (ToD) applicable during the peak hours, as specified in the respective retail supply tariff order, shall also not be permitted throughout the year. However, the provisions on banking pertaining to drawal restrictions shall be reviewed based on the power supply position in the state.

Energy injected into the grid from date of synchronization to Commercial Operation Date (COD) will be considered as deemed energy banking.

The unutilized banked energy shall be considered as deemed purchase by Discom (s) at the pooled power purchase cost as determined by the JSERC for the applicable year.

Evacuation Infrastructure

The State Transmission Utility (STU)/ Distribution Utility shall bear 100% of the cost of evacuation infrastructure.

Incentive by Central / State government

The Government of Jharkhand has notified the Jharkhand Industrial Policy 2012. The policy delineates enabling policies and incentives promoting industrial investment in the state. According to the Jharkhand Industrial Policy 2012:

- (a) The State proposes to promote increasing use of renewable and environmental friendly sources of energy. Thrust will be given to develop these on BOT basis through private sector participation.
- (b) A power plant generating power from renewable sources, with commercial operation, shall be deemed to be a new industrial unit and will be entitled to all the incentives under the Industrial policy. These plants will not be liable to pay 50% electricity duty for a period of 10 years.
- (c) New or existing industrial units setting up captive power plant shall be exempted from the payment of 50% of electricity duty for a period of five years for self – consumption or captive use (i.e. in respect of power being used by the plant) from the date of its commissioning.

The Commission shall take into consideration any incentive or subsidy offered by the Central or State Government, including accelerated depreciation benefit if availed by the generating company, for the renewable energy power plants while determining the tariff under these Regulations.

Provided that the following principles shall be considered for ascertaining income tax benefit on account of accelerated depreciation, if availed, for the purpose of tariff determination:

- (a) Assessment of benefit shall be based on normative capital cost, accelerated depreciation rate as per relevant provisions under Income Tax Act and corporate income tax rate.
- (b) Capitalization of RE projects during second half of the fiscal year. Per unit benefit shall be derived on levelled basis at discount factor equivalent to Post Tax weighted average cost of capital.

Taxes and Duties

Tariff determined under these Regulations shall be exclusive of taxes and duties as may be levied by the appropriate Government:

Provided that the taxes and duties levied by the government shall be allowed to pass through on actual incurred basis

Single Window Clearance

The developers shall be granted approvals and clearances in line with the Jharkhand State Industrial Policy 2012.

Power to remove difficulties

In case of any difficulty in giving effect to any of the provisions of this Regulation, the Commission may by general or special order, issue appropriate directions to Generators, Transmission Licensee(s), Distribution Licensee(s) etc., to take suitable action, not being inconsistent with the provisions of the Act, which appear to the Commission to be necessary or expedient for the purpose of removing the difficulty.

The generators, Licensees may make an application to the Commission and seek suitable orders to remove any difficulties that may arise in implementation of these regulations.

Power to amend

The Commission may from time to time add, vary, alter, suspend, modify, amend or repeal any provisions of this Regulation.

Savings

Nothing in these Regulations shall be deemed to limit or otherwise affect the inherent power of the Commission to make such orders as may be necessary to meet the ends of justice or to prevent abuses of the process of the Commission.

Nothing in this Regulations shall bar the Commission from adopting in conformity with the provisions of the Act a procedure, which is at variance with any of the provisions of these Regulations, if the Commission, in view of the special circumstances of a matter or class of matters and for reasons to be recorded in writing, deems it necessary or expedient for dealing with such a matter or class of matters.

Nothing in these Regulations shall, expressly or impliedly, bar the Commission dealing with any matter or exercising any power under the Act for which no Regulations or Regulations have been framed, and the Commission may deal with such matters, powers and functions in a manner it thinks fit.

(By order of the Commission)

A.K. Mehta,

Secretary

Jharkhand State Electricity Regulatory Commission

Appendix
Form 1.1 Form Template for Biogas / Wind Energy/
MSW/RDF

S. No.	Assumption Head	Sub-Head	Sub-Head (2)	Unit	Amount
1	Power Generation				
		Capacity			
			Installed Power Generation Capacity	MW	
			Capacity Utilization Factor	%	
			Auxiliary consumption	%	
			Useful Life	Years	
2	Project Cost		Normative Capital Cost	Rs Lacs	
		Capital Cost/MW	Capital Cost	Rs Lacs	
		-	Capital subsidy (if any)	Rs Lacs	
		-	Net capital cost	Rs Lacs	
3	Sources of Fund				
			Tariff Period	Years	
		<u>Debt: Equity</u>			
			Debt	%	
			Equity	%	
			Total Debt Amount	Rs Lacs	
			Total Equity Amount	Rs Lacs	
		<u>Debt Component</u>			
			Loan Amount	Rs Lacs	
			Moratorium Period	years	
			Repayment Period(include Moratorium)	years	
			Interest Rate	%	
		<u>Equity Component</u>			
			Equity amount	Rs Lacs	
			Return on Equity for first 10 years	% p.a	
			RoE Period	Year	
			Return on Equity 11th year onwards	% p.a	
			Weighted average of ROE	%	
			Discount Rate (WACC)	%	
4	Financial Assumptions				
		<u>Fiscal Assumptions</u>			
			Income Tax	%	
			MAT Rate (for first 10 years)	%	
			80 IA benefits	Yes/No	
		<u>Depreciation</u>			
			Depreciation Rate for first 12 years	%	
			Depreciation Rate 13th year onwards	%	

S. No.	Assumption Head	Sub-Head	Sub-Head (2)	Unit	Amount
			Years for 5.83% rate	Years	
			Salvage value	%	
5	Working Capital				
		O&M Charges		Months	
		Maintenance Spare	(% of O&M expenses)	%	
		Receivables for Debtors		Months	
		on energy charges			
		Interest On Working Capital		%	
6	Operation & Maintenance				
		Normative O&M Expenses		Rs Lakh	
		O&M Expenses Per Annum			
		Escalation Factor		%	
7	Incentives (if any)				
		GBI		Rs Lakh p.a.	
		Period for GBI		Years	

Form 1.1 (a) Fuel Related assumptions – Biogas/ MSW/RDF

S. No	Assumption Head	Sub-Head	Sub-Head (2)	Unit	Amount
8.	Fuel related assumptions	Station heat rate	During stabilization	kCal/kWh	
			Post stabilization	kCal/kWh	
		Fuel types & mix	Biogas fuel	%	
			Municipal Solid waste fuel	%	
			Refuse derived fuel	%	
			GCV of Biogas fuel	kCal/kg	
			GCV of Municipal solid waste fuel	kCal/kg	
			GCV of Refuse derived fuel	kCal/kg	
			Price of biogas fuel	INR/Tonne	
			Price of Municipal Solid waste	INR/Tonne	
			Price of Refuse derived fuel	INR/Tonne	
		Indexation or escalation used			
			Indexation factor	% p.a	
			Escalation factor	% p.a	

Form 1.2(a) Form Template for Wind Energy – Determination of Tariff

[illegible]

Levelling tariff corresponding to Useful life

[illegible][illegible]

**Form 1.2 (b) Form Template for Biogas/ Municipal Solid waste/ Refuse derived fuel -
Determination of Tariff**

Units Generation	Unit	Year-- ->	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
Installed Capacity	MW																										
Gross/Net Generation	MU																										
Tariff Components (Fixed Charge)	Unit	वर्ष...	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
O&M Expenses	Rs Lakh																										
Depreciation	Rs Lakh																										
Interest on term loan	Rs Lakh																										
Interest on working Capital	Rs Lakh																										
Return on Equity	Rs Lakh																										
Total Fixed Cost	Rs Lakh																										

Levelling tariff corresponding to Useful life

Per Unit Cost of Generation	Unit		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
Variable cost	Rs/kWh																										
O&M expn	Rs/kWh																										
Depreciation	Rs/kWh																										
Int. on term loan	Rs/kWh																										
Int. on working capital	Rs/kWh																										
RoE	Rs/kWh																										
Total COG per unit	Rs/kWh																										
Per Unit Cost of Generation	Unit		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
Discount Factor																											
Discounted Tariff Components	Rs/kWh																										
Levelling Tariff		Rs Lakhs																									
Levelling Tariff		Rs/Unit																									
